

§ 590.930

9 CFR Ch. III (1–1–16 Edition)

the examination of the labeling information on the containers, by an inspector before the product shall be admitted into the United States. Importers will be advised of the point where inspection will be made, and in case of small shipments (less than carload lots), the importer may be required to move the product to the location of the nearest inspector.

(b) Inspectors may take samples, without cost to the United States, of any product offered for importation which is subject to analysis or quality determination, except that samples shall not be taken of any products offered for importation under § 590.960, unless there is reason for suspecting the presence therein of a substance in violation of that section.

[36 FR 9814, May 28, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 63 FR 69972, Dec. 17, 1998]

§ 590.930 Imported egg products; retention in customs custody; delivery under bond; movement prior to inspection; sealing; handling; facilities, and assistance.

(a) No egg products required by this part to be inspected shall be released from customs custody prior to required inspections, but such product may be delivered to the consignee, or his agent, prior to inspection if the consignee shall furnish a bond, in the form prescribed by the Secretary of the Treasury, conditioned that the product shall be returned, if demanded, to the collector of the port where the same is offered for clearance through customs.

(b) Notwithstanding paragraph (a) of this section, no product required by this part to be inspected shall be moved prior to inspection from the port of arrival where first unloaded, and if arriving by water from the wharf where first unloaded at such port, to any place other than the place designated in accordance with this part as the place where the same shall be inspected; and no product shall be conveyed in any manner other than in compliance with this part.

(c) Means of conveyance or packages in which any product is moved in accordance with this part, prior to inspection, from the port or wharf where

first unloaded in the United States, shall be sealed with special import seals of the U.S. Department of Agriculture or otherwise identified as provided herein, unless already sealed with customs or consular seals in accordance with the customs regulations. Such special seals shall be affixed by an inspector or, if there is no inspector at such port, by a customs officer. In lieu of sealing packages, the carrier or importer may furnish and attach to each package of product a warning notice on bright yellow paper, not less than 5 × 8 inches in size, containing the following legend in black type of a conspicuous size:

(Name of Truck Line or Carrier)

NOTICE

This package of _____ must be delivered intact to an inspector of the Poultry Division, U.S. Department of Agriculture.

WARNING

Failure to comply with these instructions will result in penalty action being taken against the holder of the customs entry bond.

If the product is found to be acceptable upon inspection, the product may be released to the consignee, or his agent, and this warning notice defaced.

(d) No person shall affix, break, alter, deface, mutilate, remove, or destroy any special import seal of the U.S. Department of Agriculture, except customs officers or inspectors, or as provided in paragraph (f) of this section.

(e) No product shall be removed from any means of conveyance or package sealed with a special import seal of the U.S. Department of Agriculture, except under the supervision of an inspector or a customs officer, or as provided in paragraph (f) of this section.

(f) In case of a wreck or similar extraordinary emergency, the special import seal of the U.S. Department of Agriculture on a car, truck, or other means of conveyance may be broken by the carrier and, if necessary, the articles may be reloaded into another means of conveyance for transportation to destination. In all such cases, the carrier shall immediately report the facts by telegraph to the Chief of the Grading Branch.

(g) The consignee or his agent shall provide such facilities and assistance as the inspector may require for the inspection and handling and marking of products offered for importation.

[36 FR 9814, May 28, 1971, as amended at 37 FR 6660, Apr. 1, 1972; 40 FR 20060, May 8, 1975. Redesignated at 42 FR 32514, June 27, 1977, as amended at 43 FR 60138, Dec. 26, 1978. Redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 47 FR 46070, Oct. 15, 1982; 47 FR 54421, Dec. 3, 1982; 63 FR 69972, Dec. 17, 1998]

§ 590.935 Means of conveyance and equipment used in handling egg products to be maintained in sanitary condition.

Compartments of boats, railroad cars, and other means of conveyance transporting any product to the United States, and all chutes, platforms, racks, tables, tools, utensils, and all other devices used in moving and handling such product offered for importation, shall be maintained in a sanitary condition.

§ 590.940 Marking of egg products offered for importation.

Egg products which, upon inspection, are found to be acceptable for importation into the United States, and are properly labeled and bear the inspection mark of the country of origin, need no further identification.

[40 FR 20060, May 8, 1975. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 60 FR 49171, Sept. 21, 1995]

§ 590.945 Foreign egg products offered for importation; reporting of findings to customs; handling of products refused entry.

(a) Inspectors shall report their findings to the collector of customs at the port where products are offered for entry, and shall request the collector to refuse entry to egg products which are marked or designated "U.S. Refused Entry" or otherwise are not in compliance with the regulations in this part. Unless such products are exported by the consignee within a time specified by the collector of customs (usually 30 days), the consignee shall cause the destruction of such products for human food purposes under the supervision of an inspector. If products are destroyed for human food purposes

under the supervision of an inspector, he shall give prompt notice thereof to the District Director of Customs.

(b) Consignees shall, at their own expense, return immediately to the collector of customs, in means of conveyance or packages sealed by the U.S. Department of Agriculture, any egg products received by them under this part which in any respect do not comply with this part.

(c) Except as provided in § 590.930(a), no person shall remove or cause to be removed from any place designated as the place of inspection, any egg products which the regulations require to be marked in any way, unless the same has been clearly and legibly marked in compliance with this part.

[36 FR 9814, May 28, 1971, as amended at 37 FR 6660, Apr. 1, 1972. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 60 FR 49171, Sept. 21, 1995; 63 FR 69972, Dec. 17, 1998]

§ 590.950 Labeling of containers of eggs or egg products for importation.

(a) Immediate containers of product offered for importation shall bear a label, printed in English, showing:

- (1) The name of product;
- (2) the name of the country of origin of the product, and for consumer packaged products, preceded by the words "Product of," which statement shall appear immediately under the name of the product;
- (3) [Reserved]
- (4) For shell eggs, the words, "Keep Refrigerated," or words of similar meaning;
- (5) for egg products, the word "Ingredients" followed by a list of the ingredients in order of descending proportions by weight;
- (6) the name and place of business of manufacturer, packer, or distributor, qualified by a phrase which reveals the connection that such person has with the product;
- (7) an accurate statement of the quantity;
- (8) for egg products, the inspection mark of the country of origin; and
- (9) The date of production and plant number of the plant at which the egg product was processed and/or packed.